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9 Attorneys for Plaintiff
10 SCOTT SERIO

11
12 **UNITED STATES DISTRICT COURT**
13
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15
16 **(SAN FRANCISCO DIVISION)**
17

18 SCOTT SERIO,

19 Plaintiff,

20 v.

21 FUN FAIR INC. d/b/a MARIN COUNTY SPORTS,

22 Defendant.

Case No.: 3:16-cv-00438-JSC

23 **DECLARATION OF BRANDON P.**
24 **LEAHY IN SUPPORT OF**
25 **PLAINTIFF'S REQUEST FOR**
26 **CONTINUANCE OF INITIAL CASE**
27 **MANAGEMENT CONFERENCE AND**
28 **ADR DEADLINES; [PROPOSED]**
ORDER

Initial CMC: 4/28/16
Time: 1:30 p.m.
Courtroom: F, 15th Floor

Magistrate Judge: Jacqueline S. Corley
Complaint Filed: January 25, 2016

1 I, Brandon P. Leahy, declare as follows:

2 1. I am an attorney duly licensed to practice in this Court, and am an associate at Duane
3 Morris LLP, attorneys of record for Plaintiff SCOTT SERIO ("Serio" or "Plaintiff"). The following
4 is of my own personal knowledge, and if called as a witness in this matter, I could and would
5 competently testify thereto.

6 2. Plaintiff has made many attempts to personally serve Defendant's agent, Jeffrey
7 Kranz, at the address on file with the Arizona Corporation Commission. A true and correct copy of
8 the returned unexecuted service of summons with a description of the service attempts is attached
9 hereto as **Exhibits A.**

10 3. In addition to that Arizona address, Plaintiff sought to serve Defendant at a possible
11 current New York address that appeared in Plaintiff's investigation. A true and correct copy of the
12 returned unexecuted service of summons with a description of the service attempt for the New York
13 address is attached hereto as **Exhibits B.**

14 4. A true and correct copy of the Arizona Corporation Commission webpage showing
15 Defendant's incorporation in that state is attached hereto as **Exhibit C.**

16 5. In accordance with Arizona Rules of Civil Procedure, Rule 4.1(I), and under authority
17 of Federal Rule of Civil Procedure 4(e)(1), Plaintiff personally served Defendant by filing the
18 summons, complaint, and other required documents with the Arizona Corporation Commission on
19 March 24, 2016. Plaintiff is awaiting receipt of a Certificate of Mailing to file with this Court as
20 proof of service.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct. Executed this sixth day of April, 2016, at San Francisco, CA.

23
24 /s/ Brandon P. Leahy
Brandon P. Leahy

EXHIBIT A

Case 3:16-cv-00438-JSC Document 10 Filed 01/29/16 Page 2 of 2

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 3:16-cv-00438-JSC

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Fan Fair Inc. d/b/a Marin County Sports
 was received by me on *(date)* 01/26/2016

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☒ I returned the summons unexecuted because See attempts below; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: 3/3/2016



 Server's signature

Chona fe Young - Process Server

 Printed name and title

9393 N 90th St #121, Scottsdale, AZ 85258

 Server's address

Additional information regarding attempted service, etc: 3838 E Patrick Lane Phoenix, AZ 85050

02/02/2016 - 11:35 -- Residential address. Rang the doorbell no answer. No car on the driveway. Blind is closed.

02/03/2016 - 07:29 -- Rang the doorbell no answer. No car on the driveway. Blind is closed. Tried to contact a neighbor to confirm residency but neighbor didn't answer the door.

02/06/2016 - 13:09 -- Rang the doorbell no answer. No car on the driveway. All shutters are closed. Male neighbor said he doesn't know who lives at 3838.

02/09/2016 - 19:17 -- Rang the doorbell no answer. Quiet and dark inside the house. No vehicle on the driveway.

02/12/2016 - 20:38 -- The house is dark and quiet inside. I rang the doorbell no answer. No vehicle on the driveway. Tried to contact neighbor to confirm residency but neighbor didn't answer the door.



for the

Plaintiff(s)

V.

Defendant(s)

American LegalNet, Inc.
www.FormsWorkFlow.com

EXHIBIT B

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 3:16-cv-00438-JSC

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) _____
 was received by me on (date) _____

☐ I personally served the summons on the individual at (place) _____
 _____ on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 _____ on (date) _____; or

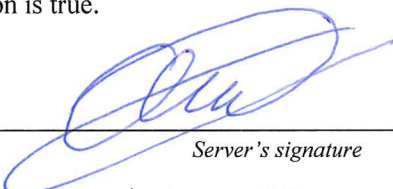
☒ I returned the summons unexecuted because the Defendant and its Registered _____; or
Agent are unknown at given address

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: 3/16/16



 Server's signature
Amarachukwu Ekeoma

 Printed name and title

176-37 120th Avenue, Jamaica, NY 11434

 Server's address

Additional information regarding attempted service, etc:

On March 10, 2016 at approximately 8:20 a.m. at 25 Phaetons Drive, Melville, NY 11747, Deponent attempted to serve the within Second Amended Summons in a Civil Action, Amended Complaint for Copyright Infringement, etc. upon Fan Fair Inc. d/b/a Marin County Sports c/o Jeffrey Charles Kranz; but Deponent spoke with Ms. Sidhu who stated that she has resided at the aforementioned address for thirteen (13) years and both Fan Fair Inc. d/b/a Marin County Sports and Jeffrey Charles Kranz, registered agent, are unknown.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

-----X
SCOTT SERIO,

Plaintiff,

- against -

FAN FAIR INC. d/b/a MARIN COUNTY SPORTS,
Defendant.

-----X
STATE OF NEW YORK)

) ss.:

COUNTY OF QUEENS)

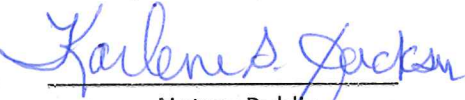
Amarachukwu Ekeoma, being duly sworn, deposes and says that Deponent is not a party to this action, is over 18 years of age, and is a resident of the State of New York.

On March 10, 2016, at approximately 8:20 a.m. at 25 Phaetons Drive, Melville, NY 11747-2028, Deponent attempted to serve the within Second Amended Summons in a Civil Action, Amended Complaint for Copyright Infringement (Demand for Jury Trial) with Exhibit A-C, Amended Civil Cover Sheet, Order Setting Initial Case Management Conference and ADR Deadlines, Contents of Joint Case Management Statement, Civil Standing Order for Magistrate Judge Jacqueline Scott Corley, and Settlement Conference Standing Order for Magistrate Judge Jacqueline Scott Corley upon **Fan Fair Inc. d/b/a Marin County Sports** c/o Jeffrey Charles Kranz.

At the time of said attempt, Deponent spoke with Ms. Sidhu who informed Deponent she has resided at the aforementioned address for thirteen (13) years and that both Fan Fair Inc. d/b/a Marin County Sports and Jeffrey Charles Kranz, registered agent, are unknown.


Amarachukwu Ekeoma

Sworn to before me this
16th day of March, 2016


Notary Public

Karlene S. Jackson, Notary Public
State of New York, #011A5083169
Qualified in Queens County
Commission Expires November 17, 2017

EXHIBIT C

ARIZONA CORPORATION COMMISSION CORPORATIONS DIVISION

WEBSITE ENTITY DETAIL • <http://ecorp.azcc.gov/>

DELINQUENT ANNUAL REPORT 3/4/2016

Corporate Inquiry				
File Number 12458822		Corporation Name FAN FAIR INC.		
Domestic Address				
3838 EAST PATRICK LANE PHOENIX, AZ 85050				
Statutory Agent Information				
Agent Name: JEFF KRANZ Agent Mailing/Physical Address: 3838 EAST PATRICK LANE PHOENIX, AZ 85050 Agent Status: APPOINTED 11/30/2005 Agent Last Updated: 04/24/2012				
Additional Entity Information				
Entity Type: BUSINESS		Business Type: SPORTS/SPORTING EVENTS		
Incorporation Date: 11/30/2005		Corporation Life Period: PERPETUAL		
Domicile: ARIZONA		County: MARICOPA		
Approval Date: 11/30/2005		Original Publish Date: 1/6/2006		
Status: DELINQUENT ANNUAL REPORT		Status Date: 3/4/2016		
Officer Information				
Name	Title	Address	Date Taking Office	Last Updated
JEFFREY KRANZ	PRESIDENT	3838 EAST PATRICK LANE PHOENIX, AZ 85050	02/22/2007	05/13/2015
Director Information				
Name	Title	Address	Date Taking Office	Last Updated
JEFF KRANZ	DIRECTOR	3838 EAST PATRICK LANE PHOENIX, AZ 85050	06/06/2005	05/13/2015

ARIZONA CORPORATION COMMISSION CORPORATIONS DIVISION

WEBSITE ENTITY DETAIL • <http://ecorp.azcc.gov/>

Annual Reports					
Next Annual Report Due: 11/30/2015					
File Year	File Month	Date Received	Reason Returned	Date Returned	Extention
2013	11	02/22/2014			
2012	11	04/28/2013			
2014	11	04/07/2015			
2006	11	02/22/2007			
2007	11	11/01/2007			
2009	11	04/02/2010			
2010	11	06/12/2011			
2008	11	12/03/2008			
2011	11	03/24/2012			

Scanned Documents		
Document Number	Description	Date Received
03088391	09 ANNUAL REPORT	04/02/2010
05020819	14 ANNUAL REPORT	04/07/2015
01899909	06 ANNUAL REPORT	02/22/2007
03835716	11 ANNUAL REPORT	03/24/2012
03513598	10 ANNUAL REPORT	06/12/2011
04273808	12 ANNUAL REPORT	04/28/2013
01406538	ARTICLES	11/30/2005
02199798	07 ANNUAL REPORT	11/01/2007
02638695	08 ANNUAL REPORT	12/03/2008
04589905	13 ANNUAL REPORT	02/22/2014
01442236	PUB OF ARTICLES	01/06/2006

Documents Pending Review		
Document Number	Description	Expedited
05448359	15 ANNUAL REPORT	No

ARIZONA CORPORATION COMMISSION CORPORATIONS DIVISION

WEBSITE ENTITY DETAIL • <http://ecorp.azcc.gov/>

Notices of Pending Administrative Dissolution		
Date	Reason	
03/04/2016	DELINQUENT ANNUAL REPORT	
03/05/2015	DELINQUENT ANNUAL REPORT	
03/05/2013	DELINQUENT ANNUAL REPORT	
03/05/2012	DELINQUENT ANNUAL REPORT	
03/17/2011	DELINQUENT ANNUAL REPORT	
03/08/2010	DELINQUENT ANNUAL REPORT	
Administrative Dissolutions and Reinstatements		
Administrative Dissolutions Date	Administrative Dissolutions Reason	Reinstatement Date
06/03/2011	AD-DISSOLVED - FILE A/R	6/12/2011 12:00:00 AM
Microfilm		
Location	Entered	Description
32094000506	11/01/2007	07 ANNUAL REPORT
11819038004	08/25/2008	MAIL RETURNED/ANNUAL REPORT DOCUMENT
32156005565	11/25/2008	NOTICE OF PENDING ADMINISTRATIVE DISSOLUTION
32311028012	04/02/2010	09 ANNUAL REPORT
32176000913	12/03/2008	08 ANNUAL REPORT
31938001418	01/06/2006	PUB OF ARTICLES
32038002065	02/22/2007	06 ANNUAL REPORT
31933004826	11/30/2005	ARTICLES
11926008055	06/12/2011	CERTIFICATE OF REINSTATEMENT